



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

July 25, 2013

TO: Gina Natoli, Hearing Officer

FROM: Brianna Menke, Zoning Permits North Section *BM*

**SUBJECT: Project No. R2012-02356-(5)**  
**Oak Tree Permit No. 201200037**  
**Continued Hearing Date: August 6, 2013**  
**Agenda Item No.3**

**PROJECT BACKGROUND**

Project No. R2012-02356-(5) is a request for the encroachment within the protected zone of five oak trees (all identified as California Live Oak), with no removal of oak trees, in the R-1-7500 (Single-Family Residence – 7500 Square Foot Minimum Required Lot Area) Zone pursuant to Part 16 of Chapter 22.56 of the Los Angeles County ("County") Code. The project is located at 15626 Calle Hermosa in Green Valley.

The project was before the Hearing Officer on May 21, 2013, and was continued to August 6, 2013 in order to allow time for staff to address the following issues:

- Provide clarification as to how many encroachments need to be requested based on what development is in place and/or proposed on the subject property site;
- Research any previous permits obtained for the site to determine if any encroachments have already been approved; and
- Evaluate the recommendation made in the previous staff report for a Class 1 Categorical Exemption under the California Environmental Quality Act ("CEQA") for staff to confirm the appropriate exemption class for this particular project.

**PROJECT STATUS**

Since the May 21, 2013 public hearing, staff has worked with the applicant to address the aforementioned issues. The following activities have been completed:

- Staff has worked with the applicant to clarify the number of encroachments to be requested based on existing development located at the subject property. Based

on a site visit conducted by staff on May 30, 2013, it appears that all 17 oak trees on the subject property are currently being encroached upon by existing and/or proposed development. Sixteen (16) of the oak trees identified in the applicant's site plan are being encroached upon by five existing garden sheds, a single-family residence, two patios, two planters, a block wall, a patio cover, and a concrete and gravel driveway; and one additional tree is proposed to be encroached upon by a future garage.

- Staff conducted historical research to ascertain whether any previous oak tree permits have been obtained for the subject property. According to staff's research, there are no records of previous oak tree permits or permitted encroachments on the subject property; therefore encroachment into the protected zone of all 17 oak trees is required to be considered as part of this pending oak tree permit.
- Staff has reexamined the initial request for a Class 1 Categorical Exemption to determine if this is the appropriate class of exemption to apply for this particular project. Upon further research, staff finds it appropriate to request a Class 1 Categorical Exemption (Existing Facilities) for all existing development on the subject property, and to recommend a Class 3 Categorical Exemption (New Construction of Small Structures) for the proposed garage. This is consistent with CEQA and County Environmental Reporting Procedures and Guidelines that allow for an exemption for "accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences." This class of exemptions is applicable for the proposed future garage at the subject property, which will be reviewed and approved by separate site plan approval.

### **STAFF RECOMMENDATION**

To date, the applicant has expressed to staff the intent to remove at least two of the existing garden sheds. In addition, the applicant is considering repositioning the remaining garden sheds as well as the location of the proposed garage in order to minimize impacts to the oak trees on the subject property. Furthermore, staff's visit to the subject property revealed additional development that was not displayed on the site plan previously submitted by the applicant.

As such, staff recommends that the applicant revise the site plan to include all existing development on the subject property. This revised site plan should correctly depict the location of all structures and account for any potential removals or relocations of garden sheds and the proposed garage. In addition, staff recommends that the Oak Tree

Report be revised to reflect an analysis of the impacts resulting from all encroachments depicted on the revised site plan.

Should the Hearing Officer agree with staff's recommendations, staff will re-circulate the revised site plan and the revised Oak Tree Report once received, to the County Forester and Fire Warden ("Forester") for comment. After updated recommendations from the Forester are received, staff will schedule a public hearing to consider the revised Oak Tree Permit No. 201200037 request.

**SUGGESTED MOTION**

***"I move that the matter be taken off calendar in order to allow time for the applicant to revise the site plan to reflect all existing development on the subject property. Furthermore, I direct the applicant to update the Oak Tree Report to reflect all encroachments depicted on the revised site plan."***

SMT:BM  
8/6/2013